



City of Seattle

Edward B. Murray, Mayor

Seattle Department of Construction and Inspections

Nathan Torgelson, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE SEATTLE DEPARTMENT OF CONSTRUCTION AND INSPECTIONS**

Application Number 3022246
Applicant Name: Ruslan Koval
Address of Proposal: 7717 Highland Park Way SW

SUMMARY OF PROPOSAL

Land Use Application to allow five, 3-story single family dwelling units. Parking for one vehicle to be located within each structure. Existing dwelling unit to be demolished.

The following approval is required:

SEPA Environmental Threshold Determination (SMC Chapter 25.05)

Seattle DCI SEPA DETERMINATION:

Determination of Non-significance

- ☒ No mitigating conditions of approval are imposed.
- ☐ Pursuant to SEPA substantive authority provided in SMC 25.06.660, the proposal has been conditioned to mitigate environmental impacts.

SITE AND VICINITY

Site Location: 7717 Highland Park Way SW

Zoning

Site: Low Rise One (LR1)
North: LR2
South: LR1
East: LR1
West: Single-Family (SF 5000)

Parcel Size: 8,549 sq. ft.

Existing Use: Single-family residential

Environmental Critical Areas: None present.



PROJECT DESCRIPTION:

The project is comprised of 5, three-story single-family residences with one parking space per unit. The property is located on the northwest corner of Highland Park Way SW and SW Portland St at the edge of LR1 zoning. Across the alley to the north are multi-family two stories in height and a two unit townhome zoned LR2. Directly to the west of the subject property are single-family residences zoned SF 5,000. There is a bus stop across Highland Park Way SW for the 131 line. The project takes vehicular access from the alley to the north. Buildings to the east are three story multi-family structures. The property to the south is a two story duplex residence. Also, the alley grid shifts to a north/south configuration. While the site is relatively flat, the neighborhood generally slopes upward to the east past Highland Park Way SW. Neighborhood amenities include Riverview Park approximately ¼ mile to the north and South Seattle College one mile to the north.

The five homes will be placed on individual lots through a future unit lot subdivision.

PUBLIC COMMENT:

The public comment period ended on December 30, 2015 SDCI received a few comments concerning the height of the proposed homes, increased stormwater runoff, parking impacts, and questions about the need for new homes.

ANALYSIS – SEPA

Environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code (SMC) Chapter 25.05).

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated November 6, 2015. The Seattle Department of Construction and Inspections (SDCI) has annotated the environmental checklist submitted by the project applicant; reviewed the project plans and any additional information in the project file submitted by the applicant or agents; and any pertinent comments which may have been received regarding this proposed action have been considered.

The information in the checklist, the supplemental information and the experience of the lead agency with the review of similar projects form the basis for this analysis and decision. The SEPA Overview Policy (SMC 25.05.665 D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, and certain neighborhood plans and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority. The Overview Policy states in part: *"where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation"* subject to some limitations.

Under such limitations/circumstances, mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

Short-term Impacts

Construction activities could result in the following adverse impacts: construction dust and storm water runoff, erosion, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic, a small increase in traffic and parking impacts due to construction related vehicles, and increases in greenhouse gas emissions. Several construction-related impacts are mitigated by existing City codes and ordinances applicable to the project such as: the Stormwater Code (SMC 22.800-808), the Grading Code (SMC 22.170), the Street Use Ordinance (SMC Title 15), the Seattle Building Code, and the Noise Control Ordinance (SMC 25.08). Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality. The following analyzes construction-related noise, air quality, environmental health, grading, and greenhouse gas impacts, as well as mitigation.

Construction Noise

Noise associated with construction activities at the site is anticipated on the surrounding residential, commercial, and industrial uses. The Noise Ordinance is found to adequately mitigate the potential noise impacts, pursuant to the SEPA Overview Policy (SMC 25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675 B)

Air Quality

Excavation activities are expected to temporarily add particulates to the air and will result in a slight increase in auto-generated air contaminants from construction worker vehicles; however, this increase is not anticipated to be significant. Federal auto emission controls are the primary means of mitigating air quality impacts from motor vehicles as stated in the Air Quality Policy (Section 25.05.675 SMC). No unusual circumstances exist, which warrant additional mitigation, per the SEPA Overview Policy.

Environmental Health

Asbestos building materials and lead based paint may be present due to the age of the building. WAC 296-155-775 (9) states, "It shall be determined whether asbestos, hazardous materials, hazardous chemicals, gases, explosives, flammable materials, or similarly dangerous substances are present at the work site.

When the presence of any such substance is apparent or suspected, testing and removal or purging shall be performed and the hazard eliminated before demolition is started. Removal of such substances shall be in accordance with the requirements of chapters 296-62 and 296-65 WAC."

The building will be surveyed for hazardous material prior to demolition by a qualified professional.

Grading

The SEPA checklist states the maximum amount of excavation is 97 cubic yards. City code (SMC 11.74) provides that material hauled in trucks not be spilled during transport.

The City requires that a minimum of one foot of "freeboard" (area from level of material to the top of the truck container) be provided in loaded uncovered trucks which minimize the amount of spilled material and dust from the truck bed to or from the site. No further conditioning of the grading/excavation element of the project is warranted pursuant to SEPA policies.

Greenhouse Gas Emissions

Construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant.

Long-term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: greenhouse gas emissions; parking; possible increased traffic in the area. Compliance with applicable codes and ordinances is adequate to achieve sufficient mitigation of most long-term impacts and no further conditioning is warranted by SEPA policies. However, height, bulk and scale; traffic and parking; historic resources; and greenhouse gas emissions warrant further analysis.

Height, Bulk, and Scale

The five single-family residences are compatible with the neighborhood. Each home is three stories or 29.5' in height. To the west is a single story single family residence zoned SF 5,000 where the height limit is 30'. The applicant proposes three new homes along the western property line with a five foot setback. Floor plans show the windows on Building 1's western façade are for stairs, utilities, and bathroom windows where there should be minimal privacy impacts. Buildings 3 and 5 face the single-story residence with bedroom and kitchen windows. The multiple buildings will each be on a separate lot and will not present as much impact as single large

apartment structure. Overall, the project is an appropriate transition from some of the larger multi-family buildings to the single-family neighborhood to the west.

Traffic and Parking

According to the Institute of Traffic Engineers 8th Edition, the project generates 5 vehicle trips during the PM peak hour. Holden, a principal arterial, has a daily trip count of 6,800. The project's proportion of these overall trips is minimal. A bus stop is present across Highland Park Way for the 131 bus line. The project's transportation impacts are adverse, they are not expected to be significant; therefore, no further mitigation is warranted per SMC 25.05.675.R.

Parking provided by the project complies with the zoning ordinance and takes into account the project's proximity to transit options. No additional mitigation is warranted per SMC 25.05.675.M.

Historic Resources

The proposed development includes the demolition of a single-family residence. The structure is over 50 years old. The Department of Neighborhoods reviewed the proposal for potential impacts to historic resources, and indicated that the existing structure on site is unlikely to qualify for historic landmark status (LPB 70/16). Therefore, no mitigation is warranted for historic preservation.

Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with the project construction and the project's energy consumption, are expected to result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant; therefore, no further mitigation is warranted.

DECISION – SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- ☒ Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21.030(2) (c).

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030 (2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

This DNS is issued after using the optional DNS process in WAC 197-11-355 and Early review DNS process in SMC 25.05.355. There is no further comment period on the DNS.

CONDITIONS – SEPA

None

Josh Johnson, AICP, Land Use Planner Date: March 17, 2016
Seattle Department of Construction and Inspections

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IMPORTANT INFORMATION FOR ISSUANCE OF YOUR MASTER USE PERMIT

Master Use Permit Expiration and Issuance

The appealable land use decision on your Master Use Permit (MUP) application has now been published. At the conclusion of the appeal period, your permit will be considered “approved for issuance”. (If your decision is appealed, your permit will be considered “approved for issuance” on the fourth day following the City Hearing Examiner’s decision.) Projects requiring a Council land use action shall be considered “approved for issuance” following the Council’s decision.

The “approved for issuance” date marks the beginning of the **three year life** of the MUP approval, whether or not there are outstanding corrections to be made or pre-issuance conditions to be met. The permit must be issued by Seattle DCI within that three years or it will expire and be cancelled. (SMC 23-76-028) (Projects with a shoreline component have a **two year life**. Additional information regarding the effective date of shoreline permits may be found at 23.60.074.)

All outstanding corrections must be made, any pre-issuance conditions met and all outstanding fees paid before the permit is issued. You will be notified when your permit has issued.

Questions regarding the issuance and expiration of your permit may be addressed to the Public Resource Center at prc@seattle.gov or to our message line at 206-684-8467.